



February 16, 2001

SENATE BILL No. 293

DIGEST OF SB 293 (Updated February 14, 2001 4:53 PM - DI 106)

Citations Affected: IC 35-42; noncode.

Synopsis: Criminal recklessness. Makes criminal recklessness a Class C felony instead of a Class B misdemeanor if it is committed by shooting a firearm into an inhabited dwelling or other building or place where people are likely to gather. (Current law makes criminal recklessness a Class C felony if it is committed by shooting a firearm from a vehicle into an inhabited dwelling or other building or place where people are likely to gather.)

Effective: July 1, 2001.

Bowser, Long

January 11, 2001, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.
February 15, 2001, reported favorably — Do Pass.

C
o
p
y

SB 293—LS 6131/DI 69+



February 16, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE BILL No. 293

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-42-2-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) As used in this
3 section, "hazing" means forcing or requiring another person:
4 (1) with or without the consent of the other person; and
5 (2) as a condition of association with a group or organization;
6 to perform an act that creates a substantial risk of bodily injury.
7 (b) A person who recklessly, knowingly, or intentionally performs:
8 (1) an act that creates a substantial risk of bodily injury to another
9 person; or
10 (2) hazing;
11 commits criminal recklessness, a Class B misdemeanor. However, the
12 offense is a:
13 (1) Class A misdemeanor if the conduct includes the use of a
14 vehicle;
15 (2) Class D felony if it is committed while armed with a deadly
16 weapon; or
17 (3) Class C felony if it is committed by shooting a firearm ~~from a~~

SB 293—LS 6131/DI 69+



1 ~~vehicle~~ into an inhabited dwelling or other building or place
 2 where people are likely to gather.

3 (c) A person who recklessly, knowingly, or intentionally:

4 (1) inflicts serious bodily injury on another person; or

5 (2) performs hazing that results in serious bodily injury to a
 6 person;

7 commits criminal recklessness, a Class D felony. However, the offense
 8 is a Class C felony if committed by means of a deadly weapon.

9 (d) A person, other than a person who has committed an offense
 10 under this section or a delinquent act that would be an offense under
 11 this section if the violator was an adult, who:

12 (1) makes a report of hazing in good faith;

13 (2) participates in good faith in a judicial proceeding resulting
 14 from a report of hazing;

15 (3) employs a reporting or participating person described in
 16 subdivision (1) or (2); or

17 (4) supervises a reporting or participating person described in
 18 subdivision (1) or (2);

19 is not liable for civil damages or criminal penalties that might
 20 otherwise be imposed because of the report or participation.

21 (e) A person described in subsection (d)(1) or (d)(2) is presumed to
 22 act in good faith.

23 (f) A person described in subsection (d)(1) or (d)(2) may not be
 24 treated as acting in bad faith solely because the person did not have
 25 probable cause to believe that a person committed:

26 (1) an offense under this section; or

27 (2) a delinquent act that would be an offense under this section if
 28 the offender was an adult.

29 **SECTION 2. [EFFECTIVE JULY 1, 2001] IC 35-42-2-2, as**
 30 **amended by this act, applies only to crimes committed after June**
 31 **30, 2001.**

C
o
p
y



SENATE MOTION

Mr. President: I move that Senator Long be added as second author of Senate Bill 293.

BOWSER

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections, Criminal and Civil Procedures, to which was referred Senate Bill No. 293, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 293 as introduced.)

LONG, Chairperson

Committee Vote: Yeas 10, Nays 0.

C
o
p
y

SB 293—LS 6131/DI 69+

